IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 25TH JANUARY 2007 / 5TH MAGHA 1928

Bail Appl..No. 400 of 2007()

CRMP.202/2007 of J.M.F.C.-II,PATHANAMTHITTA
OR 2/2007 of Konni Excise Range
.....

: PETITIONER:

VIJAYAN, AGED 43 YEARS,
S/O.KUTTAPPAN NAIR, PALELUMANNIL VEEDU,
KONNI THAZHAM VILLAGE,
KOZHENCHERRY TALUK.

BY ADV. SRI.V.SETHUNATH

RESPONDENTS:
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1. THE EXCISE INSPECTOR,
KONNY EXCISE RANGE.

2. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.400 of 2007

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Dated this the 25th day of January, 2007.

ORDER

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the accused in OR No.2 of 2007 of Konni Excise Range for offences punishable under Sec.8(1) and (2) of the Abkari Act for having been found in possession of 3 litres of illicit arrack on 8.1.2007, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner with effect from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 8.2.2007 on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-II, Pathanamthitta and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m.

on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.

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